

REMARKS

Reconsideration of the present application as amended is earnestly solicited. The application includes 4 claims, each of which is rejected in view of either Adamchick alone or Adamchick combined with another references. Withdrawal of these rejections is believed to be appropriate in view of antedating the primary reference Adamchick and ensuing arguments.

The Adamchick patent no. 5,761,668 has been cited as a §102(e) reference. Applicant has submitted a Declaration Under 37 C.F.R. § 1.131 antedating this primary reference. The attached Declaration establishes that Applicant conceived and prepared a written description of different embodiments of the claimed invention prior to the earliest filing date, March 8, 1996, of the Adamchick patent. The Declaration also shows Applicant worked diligently on each of the different embodiment and reduced the invention to practice with the current application on June 22, 1998. Certain gaps in the period between Applicant's conception and reduction to practice have been explained in the Declaration and are sufficient to establish diligence.

Since Applicant has sworn behind Adamchick, it is no longer available as a reference in this case. No other art of record discloses subject matter similar to Adamchick. Consequently, claims 1-4 are believed to be immediately allowable.

Moreover, even though Applicant's work antedates Adamchick's patent, it is believed that the Adamchick patent does not anticipate the present claims. More particularly, Adamchick's disclosure does not include the element "whereupon addition to or subtraction of at least two of said plurality of date files, the respective sums and differences can be computed and maintained after year 1999" as defined in claims 1 and 3. While Adamchick discloses a "Millennium Date" format, Adamchick does not disclose that the results of date addition or subtraction can be computed and maintained across millennium boundaries. At best, Adamchick finds it desirable to be able to perform arithmetic function on calendar dates such as addition and subtraction of dates. However, Adamchick fails the limitation that allows arithmetic operation on date files to be computed and maintained across the millennium boundary.

For instance, Adamchick represents Jan 1, 2800 as 000001 and December 31, 2799 as 999365. When the two date representations are subtracted from each other the result is abs.

[999] years and abs. [364] days, which is incorrect. The correct representation is 1 day, where the error results from using C=0 to represent the century for rollover from December 31, 2799 to Jan 1, 2800. This calculation error causes Adamchick not to be able to calculate and maintain arithmetical operations outside "Windowing" of any one century. See col.6, ll.13-15. Adamchick consequently fails the "addition/subtraction limitation found in Applicant's claim 1-3, and it further fails to anticipate or render obvious these claims.


In addition to the "addition/subtraction" limitation, claim 3 defines a seven-digit approach. Adamchick specifically discounts using a seven-digit system for solving the "Y2K" problem. Col. 4, ll. 26-33; see also "Width Six Problem" in prior art, col. 2, ll. 3-24. Further, the arithmetic operation disclosed by Adamchick focuses purely on a six-digit system. Adamchick does not provide an enabling disclosure for any arithmetic operation using a seven-digit system. Thus, independent claim 3 is also patently distinct over the art of record.

Independent claim 4 stands rejected as being obvious in view of the combination of Adamchick and Dickens. It is believed that the recited combination of references fails to disclose or suggest the invention defined in claim 4. Consequently, withdrawal of the rejection is requested.

Applicant has found nothing in the Dickens reference that discloses adding integers from a plurality of files. Moreover, Dickens does not disclose optionally adding 635 or any other number to the sum when necessary to achieve year rollover, as defined in claim 4. Consequently, even the combination of Dickens with Adamchick fails to meet or contemplate all the limitations of claim 4.

Reconsideration of the present application in view of the § 1.131 Declaration and the foregoing remarks is requested. It is believed that the application, including claims 1-4 are in condition for allowance. Action toward that end is solicited.

Respectfully submitted,



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